

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,

v.

DESHAWN WHITE,

Defendant,

and

ASPHALT MATERIALS,

Third Party Citation Respondent.

No. 10 CR 838
Judge James B. Zagel

MEMORANDUM OPINION AND ORDER

Judgment in this matter was entered in favor of the United States and against Defendant Deshawn White in the Eastern District of Michigan under No. 07 CR 20064 on June 13, 2007. Jurisdiction was transferred to the Northern District of Illinois on or about October 25, 2010. As of October 18, 2011, Defendant had an outstanding balance of \$103,041.30. A citation to discover assets directed to Respondent Asphalt Materials was issued on the judgment on September 21, 2011 and served on September 26, 2011 with statutory notice to Defendant. Asphalt Materials answered on September 28, 2011, and stated that it had in its possession or under its control wages belonging to Defendant.

The United States now moves for entry of a turnover order directing Asphalt Materials to submit to the Clerk of the Court 15% of Defendant's gross wages for each pay period since the citation was served and continuing each pay period, until the debt is paid in full, or until Asphalt Materials no longer has custody, possession or control of any wages belonging to Defendant, or until further order of this Court.

Upon entry of judgment a lien arises on all of Defendant's property and rights to

property. 18 U.S.C. § 3613(c). The United States may use any federal or state procedure to enforce a judgment. 18 U.S.C. §§ 3613(a) and (f). Here, the United States is entitled to its request. 18 U.S.C. § 3613(a); 26 U.S.C. § 6334; and 735 ILL. COMP. STAT. 5/2-1402.

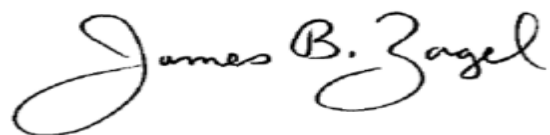
Accordingly, I am granting the government's motion and ordering Asphalt Materials to submit to the Clerk of the Court 15% of Defendant's gross wages for each pay period since the citation was served and continuing each pay period, until the debt is paid in full, or until Asphalt Materials no longer has custody, possession or control of any wages belonging to Defendant, or until further order of this Court.

All payments should have "10 CR 838" written in the lower left corner of the check and be submitted to:

Clerk of the Court for the Northern District of Illinois
219 South Dearborn Street, 20th Floor
Chicago, Illinois 60604

Pursuant to 15 U.S.C. § 1674(a), Asphalt Materials is prohibited from discharging the defendant from employment by reason of the fact that her earnings have been subjected to garnishment for any one indebtedness.

ENTER:

A handwritten signature in black ink that reads "James B. Zagel". The signature is fluid and cursive, with the first name "James" and last name "Zagel" clearly legible.

James B. Zagel
United States District Judge

DATE: May 18, 2015